

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

RENARD T. POLK,

Petitioner,

v.

RENEE BAKER, et al.,

Respondents.

Case No. 3:17-cv-00026-LRH

ORDER

On August 18, 2020, this court entered an order denying petitioner's motion for leave to file a first amended petition for writ of habeas corpus. ECF No. 25. On September 4, 2020, petitioner filed a notice of appeal with respect to that order. ECF No. 26.

When petitioner filed his motion, final judgment had been entered and this case had not been reopened by way of a post-judgment motion or a remand from the court of appeals. Reasonable jurists would not find the denial of petitioner's motion debatable or wrong. *See Lindauer v. Rogers*, 91 F.3d 1355, 1357 (9th Cir. 1996). Thus, this court declines to grant a certificate of appealability. *See Slack v. McDaniel*, 529 U.S. 473, 483–84 (2000).

IT IS THEREFORE ORDERED that a certificate of appealability is DENIED.

IT IS FURTHER ORDERED that the Clerk shall send a copy of this order to the U.S. Court of Appeals for the Ninth Circuit, attention case number 20-16784.

DATED this 24th day of September, 2020.


LARRY R. HICKS
UNITED STATES DISTRICT JUDGE